

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

LISA A. BIRON,

V.

JODY UPTON, ET AL.

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CIVIL ACTION 4:15-CV-205-O

ORDER DENYING MOTION TO REDUCE FILING FEE COLLECTION

Now pending before the Court is Plaintiff Lisa A. Biron's Motion to Reduce the Amount of the Monthly Payment of the Filing Fee (ECF No. 9), filed April 27, 2015. Plaintiff's motion concerns the Court's Order imposing the fee-collection terms of the Prison Litigation Reform Act (PLRA) to have the institution pay the balance of the remainder of the filing fee in monthly installments of 20% of each deposit. *See* Order, Apr. 15, 2015, ECF No. 7. Plaintiff seeks an order to stay the collection or reduce it to 5% of the deposits. However, the Court's Order implemented the terms of 28 U.S.C. § 1915(b)(2), and that provision does not give this Court discretion to set its own collection schedule. *See generally Atchison v. Collins*, 288 F.3d 177, 180-81 (5th Cir. 2002) (holding that section 1915(b)(2) is unambiguous and mandates that prisoners pay 20% of their monthly income for each case filed). Accordingly, Plaintiff's motion to be relieved of the ongoing fee collection of 20% of each deposit must be denied.

It is therefore **ORDERED** that Plaintiff's Motion to Reduce the Monthly Filing Fee Payments (ECF No. 9) is **DENIED**.

SO ORDERED on this 14th day of May, 2015.


Reed O'Connor
UNITED STATES DISTRICT JUDGE